GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

MINES & MINERALS – Extension of Mining Lease for a period of 50 years upto 18.05.2032 for Limestone over an extent of 121.46 Hect. in Sy.No.236 R.F of Jaggaiahpeta Village and Mandal, Krishna District in favour of M/s Kakatiya Cement Sugar and Industries Limited under section 8-A (5) of MM (D&R) Amendment Act, 2015 - Orders – Issued.

INDUSTRIES & COMMERCE (M.III) DEPARTMENT

G.O.MS.No. 26 **Dated: 15-02-2018**

Read the following:

1. G.O.Ms.No.192, Ind & Com Dept, dt.19.03.1982.
2. G.O.Ms.No.617, Ind & Com Dept, dt.08.10.1982.
3. G.O.Ms.No.380, Ind & Com Dept, dt.15.11.1993.
4. Judgment dt.04.04.2016 of Hon'ble Supreme Court in W.P.No (Civil) No.194 of 2014 with W.P. (Civil) No.114 of 2014.
5. MM (D&R) Amendment Act, 2015, dt.12.01.2015.
6. From DM&G, A.P., Vijayawada File bearing No.16262/R2-3/2001, dt.27.07.2017.

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O R D E R:

In the references 1st read above, Government have granted a mining lease for Lime Stone over an extent of 121.46 Hec in Sy.No.236 RF of Jaggaiahpeta Village and Mandal, Krishna District in favour of Sri P. Venkateswarlu for a period of 20 years. The grantee has executed the Mining Lease deed on 19-05-1982 and the lease was in force up to 18-05-2002.

2. In the reference 2nd read above, the above Mining Lease was transferred in favour of M/s Kakatiya Cements Limited. Further, Government have issued orders for inclusion of Natural Clay as additional mineral in the lease vide reference 3rd above.

3. In the reference 6th read above, the Director of Mines & Geology, AP, Vijayawada has reported that the Registrar of the Companies, A.P. Hyderabad has issued Certificate of Incorporation w.e.f. 01.01.1999 consequent to change of name from M/s Kakatiya Cements Limited to M/s Kakatiya Cement Sugar & Industries Limited.

4. He has also reported that the lease period of M/s Kakatiya Cement Sugar and Industries Limited was actually expired by 19.05.2002 and the lease holder filed application for grant of 1st renewal of the lease within time and it has not been disposed till 12.01.2015 i.e. till the introduction of Section 8 (5) (A) to the MM(D&R) Act, 1957. Further, while quoting judgment dt.04.04.2016 of the Hon'ble Supreme Court in W.P. (Civil) No. 194 of 2014 with W.P. (Civil) No. 114 of 2014, has reported that the farthest lease period that would ensure to the benefit of M/s Kakatiya Cement Sugar & Industries Limited will be upto 18.05.2032.

5. The Director of Mines & Geology, A.P., has, therefore, recommended to consider extension of lease period for mining lease held by M/s Kakatiya Cement Sugar and Industries Limited for Lime Stone and Natural Clay over an extent of 121.46 Hec in Sy.No. 236 RF of Jaggaiahpeta Village and Mandal, Krishna District upto 18.05.2032 i.e. 50 years w.e.f. 19.05.1982 under Section 8-A (5) of MM (D&R) Amendment Act, 2015 subject to satisfaction of all other terms and conditions laid down under the Act and Rules.

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6. Government, after careful examination of the issue, hereby extend the lease period for mining lease held by M/s Kakatiya Cement Sugar and Industries Limited for Lime Stone and Natural Clay over an extent of 121.46 Hec. in Sy.No. 236 RF of Jaggaiahpeta Village and Mandal, Krishna District upto 18.05.2032 i.e. 50 years w.e.f. 19.05.1982, the date on which the lease deed was originally granted under Section 8-A (5) of MM (D&R) Amendment Act, 2015 read with the judgment dt.04.04.2016 of Hon'ble Supreme Court in W.P.No (Civil) No.194 of 2014 with W.P. (Civil) No.114 of 2014 subject to satisfaction of all other terms and conditions laid down under the Act and Rules.

7. The Director of Mines & Geology, Government of A.P., Vijayawada shall take necessary further action after satisfying himself that the grantee fulfills all the required provisions of the amended Act & Rules.

Note: The extension is liable to cancellation, should it be found at later date that it was grossly inequitable or was made under a mistake of fact or owing to misrepresentation or fraud in excess of authority.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B. SREEDHAR
SECRETARY TO GOVERNMENT (MINES)

To
M/s Kakatiya Cement Sugar & Industries Ltd.,
1-10-140/1, GURU KRUPA, Ashok Nagar, Hyderabad -520 020 (BY RPAD)

The Director of Mines & Geology, A.P., Vijayawada. (with file)

Copy to:

The Deputy Director of Mines & Geology, Guntur.
The Assistant Director of Mines & Geology, Nandigama, Krishna Dist.
The District Collector, Krishna.
The Secretary to Government of India, Ministry of Mines, Sastry Bhavan, New Delhi –110 001.
The Controller General, Indian Bureau of Mines, Indira Bhavan, Civil Lines, Nagpur – 440 001.
The Director General of Mines Safety, Dhanbad, Bihar.
The Regional Controller of Mines, Indian Bureau of Mines, Room No.603, 6th Floor, CGO Towers, Kavadiguda, Secunderabad – 500 080.
SF/SC (C.No.4735/M.III(2)/2017)

//FORWARDED::BY ORDER//

SECTION OFFICER